

MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: ELECTROLYTIC CAPACITOR AND ELECTROLYTE SOLUTION FOR USE IN AN ELECTROLYTIC CAPACITOR

The specification of which

a. ☐ is attached hereto

b. ☒ was filed on June 28, 2004 as application serial no. 10/500,426 and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. PCT/JP02/13812 filed 27 December 2002 and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

a. ☐ no such applications have been filed.

b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
Japan	2001-401204	28 December 2001	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

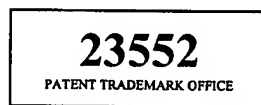
- (1) Each inventor named in the application:
- (2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the attorney(s) and/or patent agent(s) associated with the following customer number to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.



I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

Please direct all correspondence in this case to customer number 23552.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name KOMATSU	First Given Name Akihiko	Second Given Name
0	Residence & Citizenship	City Ina-shi	State or Foreign Country Nagano	Country of Citizenship Japan
1	Mailing Address	Address c/o Rubycon Corporation, 1938-1, Oaza Nishiminowa	City Ina-shi	State & Zip Code/Country Nagano 399-4593/Japan
Signature of Inventor 201:			Date: October 31, 2005	
小松 昭彦				
2	Full Name Of Inventor	Family Name IIDA	First Given Name Toshikazu	Second Given Name
0	Residence & Citizenship	City Ina-shi	State or Foreign Country Nagano	Country of Citizenship Japan
2	Mailing Address	Address c/o Rubycon Corporation, 1938-1, Oaza Nishiminowa	City Ina-shi	State & Zip Code/Country Nagano 399-4593/Japan
Signature of Inventor 202:			Date: October 31, 2005	
飯田 俊一				
2	Full Name Of Inventor	Family Name NOZAWA	First Given Name Takashi	Second Given Name
0	Residence & Citizenship	City Ina-shi	State or Foreign Country Nagano	Country of Citizenship Japan
3	Mailing Address	Address c/o Rubycon Corporation, 1938-1, Oaza Nishiminowa	City Ina-shi	State & Zip Code/Country Nagano 399-4593/Japan
Signature of Inventor 203:			Date: October 31, 2005	
野沢 隆				
2	Full Name Of Inventor	Family Name MATSUZAWA	First Given Name Taketo	Second Given Name
0	Residence & Citizenship	City Ina-shi	State or Foreign Country Nagano	Country of Citizenship Japan
4	Mailing Address	Address c/o Rubycon Corporation, 1938-1, Oaza Nishiminowa	City Ina-shi	State & Zip Code/Country Nagano 399-4593/Japan
Signature of Inventor 204:			Date: October 31, 2005	
松沢 健人				
2	Full Name Of Inventor	Family Name OGAWARA	First Given Name Tetsushi	Second Given Name
0	Residence & Citizenship	City Ina-shi	State or Foreign Country Nagano	Country of Citizenship Japan
5	Mailing Address	Address c/o Rubycon Corporation, 1938-1, Oaza Nishiminowa	City Ina-shi	State & Zip Code/Country Nagano 399-4593/Japan
Signature of Inventor 205:			Date: October 31, 2005	
小川 厚 鉄志				

2 0 6	Full Name Of Inventor	Family Name UZAWA	First Given Name Shigeru	Second Given Name
	Residence & Citizenship	City Ina-shi	State or Foreign Country Nagano	Country of Citizenship Japan
	Mailing Address	Address c/o Rubycon Corporation, 1938-1, Oaza Nishiminowa	City Ina-shi	State & Zip Code/Country Nagano 399-4593/Japan
Signature of Inventor 206: 鵜澤 滋				Date: October 31 , 2005



S/N 10/500,426

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	KOMATSU et al.	Examiner:	Unknown
Serial No.:	10/500,426	Group Art Unit:	2831
Filed:	June 28, 2004	Docket No.:	00594.0539USWO
Title:	ELECTROLYTIC CAPACITOR AND ELECTROLYTE SOLUTION FOR USE IN AN ELECTROLYTIC CAPACITOR		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 5 December 2005

By: Casey Caron

Name: Casey Caron

STATEMENT UNDER 37 CFR 1.324

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

1) Rubycon Corporation is the Assignee of the entire right, title, and interest in U.S. Application No. 10/500,426 with a filing date of June 28, 2004 and entitled **ELECTROLYTIC CAPACITOR AND ELECTROLYTE SOLUTION FOR USE IN AN ELECTROLYTIC CAPACITOR.**

2) An Assignment from the inventors of the above-identified patent was recorded in the United States Patent & Trademark Office at Reel 016147 Frame 0479 on June 28, 2004.

3) Assignee Corporation agrees to the addition of Shigeru UZAWA as a joint inventor of the above-identified patent. The inventorship error of failing to include Shigeru UZAWA as an inventor of the patent occurred without any deceptive intention on the part of the Assignee Rubycon Corporation.

4) The undersigned is authorized to act on behalf of the Assignee.

Dated: October 31, 2005

By: Shuichi Katsuyama

Printed Name: SHUICHI KATSUYAMA

Title: President



S/N 10/500,426

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KOMATSU ET AL. Examiner: unknown
Serial No.: 10/500,426 Group Art Unit: 2831
Filed: December 27, 2002 Docket No.: 594.539USWO
Title: ELECTROLYTIC CAPACITOR AND ELECTROLYTE
SOLUTION FOR USE IN AN ELECTROLYTIC CAPACITOR

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on

By:

Name:

2 N 5
5 December 2005
Brian H. Butzel

STATEMENT UNDER 37 CFR 1.324(b)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

1. My name is Akihiko Komatsu, and I am an inventor in U.S. Application No. 10/500,426

2. Thru error, Shigeru Uzawa should be added as a joint inventor of U.S. Application No. 10/500,426. I agree to change the present inventorship and to add him.

Dated this 10th day of May, 2005

By:

小松昭彦

Printed Name:

Akihiko Komatsu



S/N 10/500,426

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KOMATSU ET AL. Examiner: unknown
Serial No.: 10/500,426 Group Art Unit: 2831
Filed: December 27, 2002 Docket No.: 594.539USWO
Title: ELECTROLYTIC CAPACITOR AND ELECTROLYTE
SOLUTION FOR USE IN AN ELECTROLYTIC CAPACITOR

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on

By: 5 December 2005
Name: Brian H. Batten

STATEMENT UNDER 37 CFR 1.324(b)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

1. My name is Toshikazu Iida, and I am an inventor in U.S. Application No. 10/500,426

2. Thru error, Shigeru Uzawa should be added as a joint inventor of U.S. Application No. 10/500,426. I agree to change the present inventorship and to add him.

Dated this 10th day of May, 2005

By: 飯田 俊一
Printed Name: Toshikazu Iida



S/N 10/500,426

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KOMATSU ET AL. Examiner: unknown
Serial No.: 10/500,426 Group Art Unit: 2831
Filed: December 27, 2002 Docket No.: 594.539USWO
Title: ELECTROLYTIC CAPACITOR AND ELECTROLYTE
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CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on 5 December 2005

By: 2. M. S.
Name: Brian H. Butzel

STATEMENT UNDER 37 CFR 1.324(b)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

1. My name is Takashi Nozawa, and I am an inventor in U.S. Application No. 10/500,426

2. Thru error, Shigeru Uzawa should be added as a joint inventor of U.S. Application No. 10/500,426. I agree to change the present inventorship and to add him.

Dated this 10th day of May, 2005

By: 野沢 隆

Printed Name: Takashi Nozawa



S/N 10/500,426

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KOMATSU ET AL. Examiner: unknown
Serial No.: 10/500,426 Group Art Unit: 2831
Filed: December 27, 2002 Docket No.: 594.539USWO
Title: ELECTROLYTIC CAPACITOR AND ELECTROLYTE
SOLUTION FOR USE IN AN ELECTROLYTIC CAPACITOR

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on 5 December 2005

By: [Signature]

Name: Brian H. Sater

STATEMENT UNDER 37 CFR 1.324(b)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

1. My name is Taketo Matsuzawa, and I am an inventor in U.S. Application No. 10/500,426

2. Shigeru Uzawa should be added as a joint inventor of U.S. Application No. 10/500,426. I agree to change the present inventorship and to add him.

Dated this 10th day of May, 2005

By: 松沢 健人

Printed Name: Taketo Matsuzawa



S/N 10/500,426

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KOMATSU ET AL. Examiner: unknown
Serial No.: 10/500,426 Group Art Unit: 2831
Filed: December 27, 2002 Docket No.: 594.539USWO
Title: ELECTROLYTIC CAPACITOR AND ELECTROLYTE
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CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on 5 December 2005

By: 2 W

Name: BRIAN H. BATEL

STATEMENT UNDER 37 CFR 1.324(b)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

1. My name is Tetsushi Ogawara, and I am an inventor in U.S. Application No. 10/500,426
2. Thru error, Shigeru Uzawa should be added as a joint inventor of U.S. Application No. 10/500,426. I agree to change the present inventorship and to add him.

Dated this 10th day of May, 2005

By: 小川原 鉄志

Printed Name: Tetsushi Ogawara



S/N 10/500,426

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: KOMATSU ET AL. Examiner: unknown
Serial No.: 10/500,426 Group Art Unit: 2831
Filed: December 27, 2002 Docket No.: 594.539USWO
Title: ELECTROLYTIC CAPACITOR AND ELECTROLYTE
SOLUTION FOR USE IN AN ELECTROLYTIC CAPACITOR

CERTIFICATE UNDER 37 CFR 1.6(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on 5 December 2005

By: [Signature]

Name: Lisa-Dorn Brian H. Butzel

STATEMENT UNDER 37 CFR 1.324(b)(1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

1. My name is Shigeru Uzawa and I believe I am an original, first and joint inventor of the subject matter which is claimed in U.S. Application No. 10/500,426.
2. My residence is Ina-shi, Nagano, Japan, my post office address is c/o Rubycon Corporation, 1938-1, Oaza Nishiminowa, Ina-shi, Nagano 399-4593, Japan, and my citizenship is Japanese.
3. I was not included as an inventor on the application for this patent. The inventorship error of failing to include me as an inventor of the Patent incurred without any deceptive intention on my part.

Dated this 10th day of May, 2005

By: [Signature]

Printed Name: Shigeru Uzawa